IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION 3:12CV250-RJC-DSC

MILDRED COX,)
Plaintiff,))
v.) MEMORANDUM AND ORDER
CREDIT CONTROL SERVICES, INC.,)
Defendant.)

THIS MATTER is before the Court on Defendant's "Motion to Compel Discovery [Responses]" (document #10) and "Memorandum in Support ..." (document #11), both filed October 25, 2012. Plaintiff has not responded to the subject Motion and the time for filing a response has expired.

This Motion has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. §636(b)(1)(B), and is now ripe for the Court's consideration.

For the reasons stated in its Motion and supporting brief, the Court grants Defendant's Motion to Compel.

Dismissal and the imposition of monetary sanctions are remedies available under Rule 37 for a party's failure to obey rules governing discovery and orders of the District Court. See Fed. R. Civ. P. 37(b)(2)(C); National Hockey League v. Metro. Hockey Club, 427 U.S. 639, 643 (1976); Mutual Fed. Sav. & Loan v. Richards & Assocs., 872 F.2d 88, 92 (4th Cir. 1989); and Wilson v. Volkswagen of America, Inc., 561 F.2d 494, 504-04 (4th Cir. 1977).

Accordingly, the Court warns Plaintiff that failure to provide full and complete Initial

Disclosures and responses to Plaintiff's Interrogatories and Request for Production of Documents or failure to respond to any other of the Defendant's reasonable discovery requests, or to otherwise comply fully with any of the Court's Orders, the Local Rules, or the Rules of Civil Procedure may result in the imposition of sanctions. Sanctions may include Plaintiff and/or Plaintiff's counsel being ordered to pay Defendant's costs, including reasonable attorney's fees in their entirety, and may also include dismissal of the Complaint with prejudice.

NOW THEREFORE, IT IS ORDERED:

- 1. Defendant's "Motion to Compel Discovery [Responses]" (document #10) is **GRANTED**.

 Within fifteen days of the date of this Memorandum and Order, Plaintiff shall provide full and complete Initial Disclosures and Responses to Plaintiff's Interrogatories and Request for Production of Documents.
 - 2. The parties shall bear their own costs at this time.
- 3. The Clerk is directed to send copies of this Memorandum and Order to counsel for the parties; and to the Honorable Robert J. Conrad, Jr.

SO ORDERED.

Signed: November 14, 2012

David S. Cayer

United States Magistrate Judge